

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Atty. Dkt.: 3652-44

Date: November 28, 2003

03917 U.S. PTO

10/722542

112803

Attached for filing is the patent application of:

Inventor: Murphy et al.

Entitled: MITOCHONDRALLY TARGETED ANTIOXIDANTS

and including attachments as noted below:

- ☐ Newly executed Declaration, ☒ Copy of Declaration from prior application, ☒ Abstract  
☐ Please **delete** the following inventors in the continuation/division/continuation-in-part application:

**Deleted persons:**

33 pages of specification and claims (including 24 numbered claims), and

17 sheets of accompanying drawing/s.

☐ Record the attached assignment to \_\_\_\_\_, and return to the undersigned.☐ Attached is a Power of Attorney.☒ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number	Country	Day/Month/Year Filed
329255	New Zealand	25 November 1997
PCT/NZ98/00173		25 November 1998

, respectively, the entire content of which is hereby incorporated by reference in this application..

☐ Certified copy(ies) of foreign application(s) is/are attached.☐ Certified copy(ies) filed on \_\_\_\_\_ in prior appln. no. \_\_\_\_\_ filed \_\_\_\_\_☐ This application claims the benefit of Provisional Application No. \_\_\_\_\_, filed \_\_\_\_\_, the entire content of which is hereby incorporated by reference in this application.☒ This application is a ☒ continuation/☐ division/☐ continuation-in-part of Application No. 10/272,914, filed October 18, 2002, which is a continuation of Application No. 09/968,838, filed October 3, 2001, which is a continuation of Application No. 09/577,877, filed May 25, 2001, the entire content of which is hereby incorporated by reference in this application.☐ Petition filed in prior application to extend its life to insure co-pendency.☒ The prior application is assigned to University of Otago, Dunedin, New Zealand.☒ It is hereby requested that the Examiner consider the art cited in the parent application by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached.☐ Applicant claims "small entity" status. ☐ "Small entity" statement attached.☒ Please enter the attached and/or below preliminary amendment **prior** to calculation of filing fee:

☒ Also attached: ☒ Information Disclosure Statement; ☐ Non-Publication Request; ☐ Nucleotide and/or Amino Acid Sequence Submission; ☐ Statement deleting Inventor(s) named in prior application; ☐ Other:

**FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HERewith CANCELED**

Basic Filing Fee		\$	770.00
Total effective claims	24 - 20 (at least 20) = 4	x \$ 18.00	\$ 72.00
Independent claims	1 - 3 (at least 3) = 0	x \$ 86.00	\$ 0.00
If any proper multiple dependent claims now added for first time, add \$290.00 (ignore improper)			\$ 0.00
		<b>SUBTOTAL</b>	\$ 842.00
If "small entity," then enter half (1/2) of subtotal and subtract		-\$ ( 0.00 )	
		<b>SECOND SUBTOTAL</b>	\$ 842.00
Assignment Recording Fee (\$40.00)		\$	0.00
		<b>TOTAL FEE ENCLOSED</b>	\$ 842.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**.A duplicate copy of this sheet is attached.

Correspondence Address:

Customer Number: **23117**

Telephone: (703) 816-4000

Facsimile: (703) 816-4100

LCM:lfm

NIXON &amp; VANDERHYTE P.C.

By Atty: Leonard C. Mitchard, Reg. No. 29,009

Signature: 

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